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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/024,923	02/17/1998	DAN KIKINIS	P3295	8936

24739 7590 03/21/2003

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AROMAS, CA 95004

EXAMINER

KWOH, JASPER C

ART UNIT	PAPER NUMBER
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2663

DATE MAILED: 03/21/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/024,923

Applicant(s)

KIKINIS, DAN

Examiner

Jasper Kwoh

Art Unit

2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,4-7,10-13,15 and 18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1,4-7,10-13,15 and 18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/19/03 has been entered.

***Claim Rejections - 35 USC § 103***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1, 4-7, 10-13, and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwami et al. (US005604737A) in view of Chang et al. (US006198738B1).

Regarding claims 1, 7, 13 and 18, Iwami et al. discloses a bridge unit and method comprising: a trunk line port for receiving and placing COST telephone calls (i.e. fig. 1, between 20 and 3, inherently there's a port in order to connected the PSTN network to the server); a data network port and circuitry for placing LAN calls (i.e. fig.1, between 20 and 1, inherently there's a port in order to connect the server to the LAN); conversion between LAN and COST telephone calls (i.e. fig.7, 22, fig. 8, col. 11, ll. 5-15); a lookup table (i.e. col. 17, ll. 3-7) relating COST telephone number to IP addresses (i.e. col. 15, ll. 41-54, the terminal may have a telephone number so the communication

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may be established and connection to take place) wherein control routine function, extract specific data to access the lookup table (i.e. fig. 18, col. 15, ll. 41-55, the extension and/or the terminal address has to be extracted in order to be compared) and enabling 2 people to engage in a live conversation (i.e. fig. 8, col. 11, l. 20 – col. 12, ll. 15). Iwami et al. does not specifically disclose that the LAN network includes the internet. However, Iwami et al. discloses that the communication terminal could be using TCP/IP or UDP/IP (i.e. col. 17, ll. 44-58; voice communication maybe adopted to support these protocols). Chang et al. teaches that the network could be internet (i.e. fig. 1, 20; col. 1, 13-25). It would have been obvious to an ordinary person skilled in the art at the time of the invention to include the internet and allow the transmitted voice communication to travel through the internet as taught by Chang et al. with the method and system of Iwami et al. in order to communicate with the greatest number of possible users. The motivation is the desire to use the network that is the most broadly available and therefore preferred.

Regarding claims 4 and 10, Iwami et al. discloses specific data is coded in an IP address (i.e. fig. 18. the IP address correlates to the telephone number).

Regarding claims 5-6 and 11-12, Iwami et al. discloses negotiating with a caller and using IVR (i.e. fig. 5, the flowchart shoes the usage of a voice communication request server) to obtain the desired address or phone number (i.e. fig. 5, 124, using the received request the communication is selected).

Regarding claim 15, Iwami et al. discloses the first port connected to a PSTN (i.e. fig.1, 3, it is inherent that because the public network is connected to a telephone it is

connected to a PSTN) and the second connected to a LAN (i.e. fig. 1, 1). Iwami et al. does not specifically disclose that the LAN network includes the internet. However, Chang et al. teaches that the network could be internet (i.e. fig. 1, 20; col. 1, 13-25). It would have been obvious to an ordinary person skilled in the art at the time of the invention to include the internet and allow the transmitted voice communication to travel through the internet as taught by Chang et al. with the method and system of Iwami et al. in order to communicate with the greatest number of possible users. The motivation is the desire to use the network that is the most broadly available and therefore preferred.

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1, 4-7, 10-13, 15 and 18 have been considered but are moot in view of the new ground(s) of rejection.

Applicant asserts that the packets in Iwami et al. are specifically for a LAN. Examiner disagrees. The packets are standard IP packets and would function the same in a LAN or the internet (i.e. col. 17, ll. 43-50, the LAN could be adopted to support TCP/IP or UDP/IP which are internet protocols that can be transported over the internetwork). Therefore, the combination of Iwami et al and Chang et al. would have been obvious to an ordinary person skilled in the art at the time of the invention in order to communicate with the greatest number of possible users. The motivation is the desire to use the network that is the most broadly available and therefore preferred.

5. Applicant asserts that the specific data is coded in a portion of an IP address is not inherent. Examiner agrees. However, the Iwami et al. reference shows that the

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specific data of an incoming call is coded in a portion of an IP address associated with the incoming call (i.e. fig. 8, 311, 312, the terminal address which is the IP address of the call is used to determine the associated telephone number).

Finally, in the remarks, applicant stated claim 9 as an independent claim. This is incorrect. Claim 9 has been cancelled.

**Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Curry et al. (US006233234B1) is cited to show secure internet telephony; and Szviatovszki et al. (US006470010B1) is cited for setting up speech connection in different networks.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasper Kwoh whose telephone number is (703) 305-0101. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (703)308-5340. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4700.



JK  
March 18, 2003

Jasper Kwoh  
Examiner  
Art Unit 2663



MELVIN MARCELO  
PRIMARY EXAMINER